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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

William R. Campbell, et al.

Appl. No.: 09/483,084

Filed: January 14, 2000

For: **FORMULATIONS AND METHODS
FOR ADMINISTRATION OF
PHARMACOLOGICALLY OR
BIOLOGICALLY ACTIVE
COMPOUNDS**

Art Unit: 1614

RECEIVED

MAY 26 2000

Examiner: Not Assigned

OFFICE OF PETITIONS
DEPUTY A/C PATENTS

Attorney Docket: 00981.0007.US00

TRANSMITTAL SHEET - MISSING PARTS

Assistant Commissioner for Patents
Washington, D.C. 20231
ATTN: Box Missing Part

Sir:

In response to the **Notice to File Missing Parts of Application** dated March 22, 2000, Applicant(s) submits the following documents for appropriate action by the U.S. Patent and Trademark Office:

- ☒ Copy of the Notice to File Missing Parts;
- ☒ An original executed Combined Declaration and Power of Attorney for Patent Application;

CERTIFICATE OF MAILING
(37 C.F.R. §1.8a)

I hereby certify that this paper (along with any referred to as being attached hereto) is being deposited with the United States Postal Service on the date shown below with sufficient postage as First Class Mail in an envelope addressed to the Assistant Commissioner for Patents, Washington, D.C. 20231.

May 22, 2000
Date of Deposit

Nora Durant
Name of Person Mailing Paper

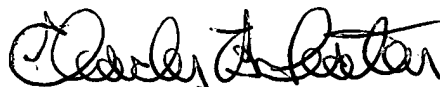
Nora Durant
Signature of Person Mailing Paper

- ☒ An original executed Supplemental Combined Declaration and Power of Attorney In Support Of Omitted Page Four for Patent Application Which Has Been Accorded Earlier Filing Date;
- ☒ Petition Under 37 C.F.R. §1.182 in Support of Submission of Omitted Page 4 to Patent Application Accorded Earlier Filing Date;
- ☒ Replacement Page 4;
- ☒ Petition Under 37 C.F.R. § 1.47(b) for Acceptance of Application Where Joint Inventor has Refused to Sign the Declaration;
- ☒ Statement Establishing Proprietary Interest By Person Signing On Behalf of Non-Signing Inventor, including Exhibit A - Agreement (7 pages) and Exhibit B - Assignment of Patent Application (2 pages);
- ☒ Declaration of Patent Attorney Mary S. Consalvi in Support of Petition Under 37 C.F.R. § 1.47(b) For Acceptance of Application Where Joint Inventor Has Refused to Sign the Declaration;
- ☒ Return postcard; and
- ☒ The Commissioner is authorized to charge Howrey Simon Arnold & White, LLP's Deposit Account No. **08-3038** for any fees required under 37 CFR §§ 1.16, 1.17, and 1.53.

The U.S. Patent and Trademark Office is hereby authorized to charge any fee, fee deficiency, or credit any overpayment, to our Deposit Account No. 08-3038. If extensions of time under 37 C.F.R. § 1.136 other than those otherwise provided for herewith are required to prevent abandonment of the present patent application, then such extensions of time are hereby petitioned, and any fees therefor are hereby authorized to be charged to our Deposit Account No.08-3038. A duplicate copy of this Response is enclosed.

Date: May 22, 2000.

Respectfully submitted,



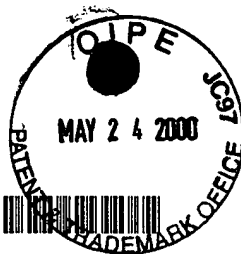
Charles B. Seaton
Reg. No. 46,171 for
Mary S. Consalvi
Registration No. 32,212

Howrey Simon Arnold & White, LLP
Box 34
1299 Pennsylvania Avenue, N.W.
Washington, D.C. 20004
(858) 622-5100

FORMALITIES LETTER



OC000000005003083

UNITED STATES DEPARTMENT OF
COMMERCE

Patent and Trademark Office

Address: COMMISSIONER OF PATENT AND TRADEMARKS
Washington, D.C. 20231

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
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09/483,084

01/14/2000

William R. Campbell

HOWREY & SIMON
1299 PENNSYLVANIA AVENUE NW
BOX 34
WASHINGTON, DC 20004

RECEIVED
DOCKET DEPT.
HOWREY SIMON ARNOLD & WHITE

MAR 27 2000

WASHINGTON, D.C.

Date Mailed: 03/22/2000

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

Filing Date Granted

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given TWO MONTHS from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The statutory basic filing fee is missing.
Applicant must submit \$ 690 to complete the basic filing fee and/or file a small entity statement claiming such status (37 CFR 1.27).
- Total additional claim fee(s) for this application is \$948.
 - \$558 for 31 total claims over 20.
 - \$390 for 5 independent claims over 3 .
- The oath or declaration is missing.
A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.
- The balance due by applicant is \$ 1768.

The following item(s) appear to have been **omitted** from the application:

- Page(s) **Page 4** of the specification (description and claims).

I. Should applicant contend that the above-noted omitted item(s) was in fact deposited in the Patent and Trademark Office (PTO) with the nonprovisional application papers, a copy of this Notice and a petition (and \$130.00 petition fee (37 CFR 1.17(i))) with evidence of such deposit **must** be filed within **TWO MONTHS** of the date of this Notice. The petition fee will be refunded if it is determined that the item(s) was received by the PTO.

II. Should applicant desire to supply the omitted item(s) and accept the date that such omitted item(s) was filed in the PTO as the filing date of the above-identified application, a copy of this Notice, the omitted item(s) (with a supplemental oath or declaration in compliance with 37 CFR 1.63 and 1.64 referring to such items), and a petition under 37 CFR 1.182 (with the \$130.00 petition fee (37 CFR 1.17(h)) requesting the later filing date **must** be filed within **TWO MONTHS** of the date of this Notice.

DOCKETED *gdc* 3.27.00
Response Due 5.22.00
Last Day 10.22.00
3/22/00 9:11 AM

III. The failure to file a petition (and petition fee) under the above options (I) or (II) within **TWO MONTHS** of the date of this Notice (37 CFR 1.181(f)) will be treated as a constructive acceptance by the applicant of the application as deposited in the PTO. **THIS TWO MONTH PERIOD IS NOT EXTENDABLE UNDER 37 CFR 1.136(a) r (b).** In the absence of a timely filed petition in reply to this Notice, the application will maintain a filing date as of the date of deposit of the application papers in the PTO, and original application papers (*i.e.*, the original disclosure of the invention) will include only those application papers present in the PTO on the date of deposit.

In the event that applicant elects not to take action pursuant to options (I) or (II) above (thereby constructively electing option (III)), amendment of the specification to renumber the pages consecutively and cancel incomplete sentences caused by any omitted page(s), and/or amendment of the specification to cancel all references to any omitted drawing(s), relabel the drawing figures to be numbered consecutively (if necessary), and correct the references in the specification to the drawing figures to correspond with any relabelled drawing figures, is required. Any drawing changes should be accompanied by a copy of the drawing figures showing the proposed changes in red ink. Such amendment and/or correction to the drawing figures, if necessary, should be by way of preliminary amendment submitted prior to the first Office action to avoid delays in the prosecution of the application.

A copy of this notice MUST be returned with the reply.



Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 1 - ATTORNEY/APPLICANT COPY